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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,979	12/29/2003	Asif Hossain	55525501.2678	9024
7590 David B. Cochran, Esq. Jones Day 901 Lakeside Avenue/North Point Cleveland, OH 44114			EXAMINER BURROWES, LAWRENCE J	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 03/21/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/747,979

**Applicant(s)**

HOSSAIN ET AL.

**Examiner**

LAWRENCE J. BURROWES

**Art Unit**

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
3. Claim 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver et al (5828661) hereafter Weaver, in view of Suganuma (5513388), and in further view of Sokat et al (5903238) hereafter Sokat.

For claim 1, Weaver disclose method of optimizing reconnection of a point to point protocol link layer in a mobile device comprising the steps of: monitoring whether the mobile device has entered a new zone (see column 31 lines 40-44, point to point links to mobile device); and if the mobile device does not enter a new zone during the stabilization period, determining whether the mobile device is in a new zone, reconnecting to the new zone if the mobile device is in the new zone, and otherwise performing no reconnection (see column 9 lines 10-34,

depending on the zone entering a hard handoff or soft handoff is selected during threshold period).

Weaver disclose all the limitations of the claim invention except starting a stabilization period when the mobile device enters a new zone; checking whether the mobile device enters a different zone during the stabilization period; if the mobile device enters a different zone during the stabilization period, restarting the stabilization period and performing said checking step.

Suganuma from the same or similar fields of endeavor teaches starting a stabilization period when the mobile device enters a new zone (see Abstract, stabilization timer is started during handoff); and checking whether the mobile device enters a different zone during the stabilization period (see Figure 2 Box S1, checks to see if mobile is in a handoff state).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the stabilization period into the handoff state by way of programming logic. The motivation to do so would be to increase the efficiency of handoffs between multiple access points.

Suganuma disclose all the limitations of the claim invention except if the mobile device enters a different zone during the stabilization period, restarting the stabilization period and performing said checking step.

Sokat from the same or similar fields of endeavor teaches if the mobile device enters a different zone during the stabilization period, restarting the

stabilization period and performing said checking step (see column 7 lines 34-43, restarts the timer when in a handover state).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the restart signal into the stabilization period by way of programming logic. The motivation to do so would be to increase the efficiency of handoffs between multiple access points.

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver in view of Suganuma in view of Skat as applied to claim 1 above, and further in view of Hamdy (5982758).

For claim 2, Weaver in view of Suganuma in view of Skat as applied to claim 1 above disclose all the limitations of the claim invention except wherein the monitoring step looks for a change in a system identifier.

Hamdy from the same or similar fields of endeavor teaches wherein the monitoring step looks for a change in a system identifier (see column 2 lines 6-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the identification into system by way of programming. The motivation to do so would be in order enhance the connection signaling.

For claim 3, Weaver in view of Suganuma in view of Skat as applied to claim 1 above disclose all the limitations of the claim invention except wherein the monitoring step looks for a change in a network identifier.

Hamdy from the same or similar fields of endeavor teaches wherein the monitoring step looks for a change in a network identifier (see column 2 lines 6-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the identification into system by way of programming. The motivation to do so would be in order enhance the connection signaling.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver in view of Suganuma in view of Skat as applied to claim 1 above, and further in view of Tiedemann, Jr. et al (6216004) hereafter Tiedemann.

For claim 4, Weaver in view of Suganuma in view of Skat as applied to claim 1 above disclose all the limitations of the claim invention except wherein the monitoring step looks for a change in a packet zone identifier.

Tiedemann from the same or similar fields of endeavor teaches wherein the monitoring step looks for a change in a packet zone identifier (see column 20 lines 47-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the identification into system by

way of programming. The motivation to do so would be to enhance the connection signaling.

6. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver in view of Sukanuma in view of Skat as applied to claim 1 above, and further in view of Kallin et al (5119502) hereafter Kallin.

For claim 5, Weaver in view of Sukanuma in view of Skat as applied to claim 1 above disclose all the limitations of the claim invention except wherein the starting step includes setting a stabilization timer.

Kallin from the same or similar fields of endeavor teaches wherein the starting step includes setting a stabilization timer (see column 11 lines 36-50). Regarding claim 6, wherein the duration of said stabilization timer is less than one minute (see column 11 lines 36-50, varying time).

Regarding claim 7, wherein the duration of said stabilization timer is more than one minute (see column 11 lines 36-50, varying time).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the timer into system by way of programming. The motivation to do so would be to enhance the connection signaling.

***Allowable Subject Matter***

7. Claims 8-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kornfeld et al (5722053), Henry Jr. (5991622), Matsunaga (20040127191), Ikeguchi et al (4394778), Halpern (4613990), Bell (6011781) and Elizondo (6542476).

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAWRENCE J. BURROWES whose telephone number is (571)270-1419. The examiner can normally be reached on Monday - Thursday 5:30am - 3pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan D. Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. J. B./  
Examiner, Art Unit 2619

/Edan Orgad/  
Supervisory Patent Examiner, Art Unit 2619